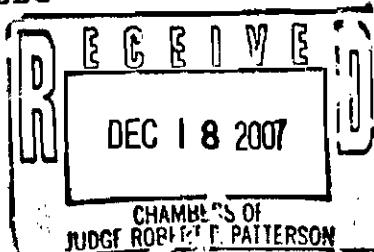


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# MEMO ENDORSED

VIA FACSIMILE: (212) 805-7917

December 18, 2007

Hon. Robert P. Patterson  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 2550  
New York, NY 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: 12/19/07  
DATE FILED: 12/19/07

**Re: *United States of America v. Nue Vuksanaj*, Docket Number: 07 CR 00943 (RPP)**

Dear Judge Patterson:

This letter is submitted to request that the conference presently scheduled for Friday, December 21, 2007 be moved to Friday, January 4, 2008 at 9:00 a.m. Copies of this letter are being simultaneously transmitted to Assistant United States Attorney Massey and Attorney David Wickstrom.

This is the first request by myself for a continuance. It is my understanding that predecessor counsel, David Wickstrom, has requested a number of continuances in the past. I am informed by Assistant United States Attorney David Massey that he has no objection to the Court's moving the scheduled hearing date at which time I will be appearing on behalf of Mr. Vuksanaj. A copy of my Notice of Appearance is enclosed.

I am informed by Attorneys Massey and predecessor counsel that the case had been adjourned to December 21, 2007 for a number of purposes: (1) for Mr. Vuksanaj to obtain a line of credit on his residence for the purpose of retaining counsel; (2) for Mr. Vuksanaj to perfect the government's interest in his release bond by filing the necessary paper work with the Westchester County Clerk's Office; and (3) to establish a schedule for motions, hearings and trial.

I anticipate that we will be ready to schedule dates for motions, discovery, hearings and trial on January 4.

With the assistance of a family member, Mr. Vuksanaj has applied for a line of credit on his family residence. It is not certain that the line of credit will be approved by this Friday, December 21, 2007, the date last set by the Court for Mr. Vuksanaj to do so. I am, therefore,

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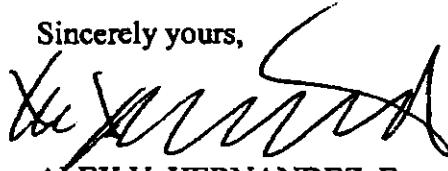
requesting that the Court allow him until at least January 4, 2008 to secure the line of credit and thereafter to perfect the government's interest on the appearance bond. It is my understanding that Mr. Vuksanaj has been fully compliant with all terms of the Order Setting Conditions of Release. Attorney Massey is presently on trial, and I have not been able to reach him concerning this request for additional time within which to perfect the government's interest. I anticipate, however, that he would object to any further extension of time for Mr. Vuksanaj to secure a line of credit on his residence and to perfect the government's interest on the appearance bond.

In the event that the Court disallows this one-week extension of time, I respectfully request that we receive notice as soon as possible in order for the necessary paper work to be filed with the Westchester County Clerk.

It is also my understanding that the Court has entered an Order tolling the computation of time pursuant to the Speedy Trial Act until January 2, 2008. I respectfully submit that the ends of justice served by granting the requested extension and excluding the two day period of time from January 2 to January 4, 2008 outweigh the best interests of the public and the defendant in a speedy trial. Further, failure to grant the requested continuance would deny the defendant reasonable time to obtain counsel, and would deny counsel for the defendant reasonable time necessary for effective preparation for the new hearing date.

I thank you in advance for your consideration of the relief requested.

Sincerely yours,



ALEX V. HERNANDEZ, Esq.  
PULLMAN & COMLEY, LLC

cc: David Massey, Assistant United States Attorney  
David Wickstrom, Esq.

AVH/bms  
enclosure

Stamford/1.1/AHERNANDEZ/336701v1

Applications Granted  
Conference is adjourned to 1/4/08  
at 9 AM. Time is excluded  
under the Speedy Trial Act  
until 1/4/08 in the interests  
of justice.

So ordered  
P. Hernandez  
12/19/07

AO 458 (Rev. 10/95) Appearance

## UNITED STATES DISTRICT COURT

Southern

DISTRICT OF

New York

## APPEARANCE

Case Number: 07 CR 00943 (RPP)

To the Clerk of this court and all parties of record:

Enter my appearance as counsel in this case for

The Defendant, Nue Vuksana]

I certify that I am admitted to practice in this court.

12/18/2007

Date

Signature

Alex V. Hernandez

CT08345

Print Name

Bar Number

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